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August 2, 2023

VIA ELECTRONIC CASE FILING

The Honorable Michael E. Wiles
U.S. Bankruptcy Judge
U.S. Bankruptcy Court for the Southern District of New York
Courtroom 617
One Bowling Green
New York, NY 10004-1408

Re: *Hurwitz v. Darling, et al.*, Adv. Proc. Case No. 23-01022 (MEW)
(Bankr. S.D.N.Y.): Status of Service of Process on Defendant Golden Step
Limited

Dear Judge Wiles:

I write to correct the record with respect to the status of the service of process on Defendant Golden Step Limited. As explained in the Complaint, Defendant Golden Step Limited is an entity that is beneficially owned by Defendant Dr. William Fung Kwon Lun ("William Fung").

At the August 1, 2023 status conference, I represented to the Court that all foreign Defendants in this adversary proceeding had been served with the Complaint, including Defendant Golden Step Limited. This representation was based on my understanding and belief at the time, based on discussions with our vendor who performed service abroad.

However, overnight last night I received the attached letter (Exhibit A hereto) that purports to be written on behalf of a Hong Kong, China company named "Golden Step Limited." That letter stated that it has no affiliation with Dr. William Fung. In support of the statements in that letter, it provided documentation demonstrating that the "Golden Step Limited" controlled by Dr. Fung is an entity registered in Liberia and not the "Golden Step Limited" organized under the laws of Hong Kong, China that was served by Plaintiff's process server. Thus, it appears that Plaintiff's counsel mistakenly and inadvertently served the wrong "Golden Step Limited" entity. As a result, I now believe that Defendant Golden Step Limited has not been served with the summons and the Complaint.

Early this morning, I asked the attorneys at Freshfields Bruckhaus Deringer US LLP, counsel for Defendant Golden Step Limited, whether Defendant Golden Step Limited will waive

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service of process or whether Defendant Golden Step Limited will agree that Freshfields may accept service of process on Defendant Golden Step Limited's behalf as agent, so as to avoid the additional time and cost required to serve the Complaint in Liberia or a different, correct address in Hong Kong, China. I await their response and will keep the Court informed of the status of service on Defendant Golden Step Limited.

I apologize for any inconvenience that this may have caused the Court.

Respectfully,

/s/ Gordon Z. Novod
Gordon Z. Novod

Encl.